



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

September 19, 2016

Bryan P. Wright
Chief Financial Officer
Exelon Generation Company, LLC
100 Constellation Way
Suite 600 C
Baltimore, MD 21202

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
FOR JAMES A. FITZPATRICK NUCLEAR POWER PLANT (CAC NO. MF8293)

Dear Mr. Wright:

By application dated August 18, 2016 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML16235A081), you submitted an affidavit dated August 12, 2016, executed by Bryan P. Wright, requesting that the information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

Application for Order Approving Transfer of Renewed Facility Operating License and Proposed Conforming License Amendment

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

The Licensee is providing information in support of the application for an Order approving a license transfer. The documents being provided in Enclosures 7A and 9A contain proprietary financial information and financial projections related to the ownership and operation of the Licensee's generation assets. These documents constitute proprietary commercial and financial information that should be held in confidence by the NRC pursuant to the policy reflected in 10 CFR 2.390(a)(4) and 9.17(a)(4), because:

(a)(4) Trade secrets and commercial or financial information obtained from a person and privileged or confidential.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the Enclosures 7A and 9A marked as proprietary, will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

B. Wright

- 2 -

Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents. If the need arises, we may send copies of this information to our consultants working in this area. We will, of course, ensure that the consultants have signed the appropriate agreements for handling proprietary information.

If the basis for withholding this information from public inspection should change in the future such that the information could then be made available for public inspection, you should promptly notify the Nuclear Regulatory Commission (NRC). You also should understand that the NRC may have cause to review this determination in the future, for example, if the scope of a Freedom of Information Act request includes your information. In all review situations, if the NRC makes a determination adverse to the above, you will be notified in advance of any public disclosure.

If you have any questions regarding this matter, I may be reached at 301-415-3629.

Sincerely,

A handwritten signature in black ink, appearing to read "Diane Render", with a large circular flourish on the left and a long horizontal stroke extending to the right.

Diane Render, Project Manager
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No.: 50-333

cc: Distribution via Listserv

B. Wright

- 2 -

Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents. If the need arises, we may send copies of this information to our consultants working in this area. We will, of course, ensure that the consultants have signed the appropriate agreements for handling proprietary information.

If the basis for withholding this information from public inspection should change in the future such that the information could then be made available for public inspection, you should promptly notify the Nuclear Regulatory Commission (NRC). You also should understand that the NRC may have cause to review this determination in the future, for example, if the scope of a Freedom of Information Act request includes your information. In all review situations, if the NRC makes a determination adverse to the above, you will be notified in advance of any public disclosure.

If you have any questions regarding this matter, I may be reached at 301-415-3629.

Sincerely,

/RA/

Diane Render, Project Manager
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No.: 50-333

cc: Distribution via Listserv

DISTRIBUTION:

PUBLIC
LPL1-1 R/F
RidsACRS_MailCTR Resource
RidsNrrDorlLpl1-1 Resource
RidsNrrLAKGolstein Resource
RidsNrrPMFitzPatrick Resource
RidsNrrIFIB Resource
RidsOgcMailCenter Resource
RidsRgn1MailCenter Resource

ADAMS Accession No.: ML16250A461

OFFICE	DORL/LPLI-1/PM	DORL/LPLI-1/LA	DIRS/IFIB/BC	DORL/LPLI-1/BC	DORL/LPLI-1/PM
NAME	DRender	KGGoldstein	ABowers	TTate	DRender
DATE	9/06/2016	9/12/2016	9/13/2016	9/14/2016	9/19/2016

OFFICIAL RECORD COPY